

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 18118 of 2007(F)

PETITIONER:

**HANEEFA K.M.,
THENAMMACKAL HOUSE, MUNDAKKAYAM,
KOTTAYAM DISTRICT.**

BY ADV. SRI.K.GOPALAKRISHNA KURUP

RESPONDENTS:

- 1. THE DISTRICT COLLECTOR,
COLLECTORATE, KOTTAYAM.**
- 2. THE TAHSILDAR,
TALUK OFFICE, KANJIRAPPALLY.**
- 3. THE STATE OF KERALA, REPRESENTED BY
IT'S SECRETARY, DEPARTMENT OF REVENUE,
SECRETARIAT, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

S. SIRI JAGAN, J.

W.P.(C)NO. 18118 OF 2007

DATED THIS THE 13th DAY OF JUNE, 2007

JUDGMENT

The petitioner approaches this Court apprehending eviction without a notice. The petitioner submits that alleged puramboke land has been measured and marked without notice to the petitioner and the respondent may take further steps any time. I cannot assume that the respondents, who are responsible officer of the Government would take proceedings under the Kerala Land Conservancy Act without following the procedure under the Act and Rules. Such proceedings shall be taken only after issuing a notice to the petitioner affording him an opportunity of being heard which shall include an opportunity to adduce evidence and passing a speaking order. In view of the legal requirements of which the respondents must be aware of, I cannot entertain this writ petition at this juncture on the mere apprehension of the petitioner.

Accordingly, the writ petition is dismissed.

S. SIRI JAGAN, JUDGE

Acd

